

REMARKS

Claims 1-11 are pending in the above-reference patent application, claims 1, 5, 6, and 8 have been amended and claim 11 has been cancelled. In the Office Action the Examiner has objected to the drawings under 37 C.F.R. § 1.83 (a) stating that "the connecting rod eye surrounding a piston bolt having the lubrication channel that overlaps the passage at least once during a revolution of the crank pin as recited in claim 6; and the bearing element and the rod eye each including alignment marks as recited in claim 10 must be shown or the feature(s) canceled from the claim(s)."

With regard to the first portion of the Examiner's objections to the drawings, namely, "the connecting rod eye surrounding a piston bolt having the lubrication channel that overlaps the passage at least once during a revolution of the crank pin as recited in claim 6 . . . must be shown . . .", the Examiner's attention is directed to FIG. 3 of the instant application. In FIG. 3, the piston bolt 6 consists of a radial bore 30 and an axial bore 31 in communication with the radial bore. The radial bore 30 is shown in alignment with the longitudinal channel 23. Accordingly, Applicants respectfully submit that the features complained of by the Examiner are adequately depicted and request withdrawal of the objection. With regard to the second portion of the Examiner's objection to the drawings, namely, "the bearing element and the rod eye each including alignment marks as recited in claim 10 must be shown or the feature(s) canceled from the claim(s)", Applicants have attached hereto a new FIG. 3 showing elements 36 and 37 in red-line. In addition, the specification has been amended to recite that the rod eye 20 and the bearing element 5 each define an alignment mark 36 and 37 respectively. The alignment marks 36 and 37 were shown in FIG. 3 as originally filed by the element numbers were inadvertently left off. Furthermore, the alignment marks, as the Examiner points out. No new matter has been added.

The Examiner has objected to claims 2-11 stating that the word "A" at the start of each claim should be "The." Applicants respectfully disagree as there is nothing improper, and no ambiguity is created with the preamble as it is written and Applicants request that the objection be withdrawn.

The Examiner has rejected claims 1-11 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. By this amendment, Applicants have addressed the issues raised by the Examiner thereby obviating the section 112 rejections.

The Examiner has rejected claims 1-3 and 5-11 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 4,856,366 to Nikolaus (hereinafter referred to as the "Nikolaus reference"). The Nikolaus reference is directed to a refrigeration gas compressor that comprises a piston reciprocally movable to effect gas compression, a motor-driven rotatable crankshaft, and a connecting rod between a crank pin on the crankshaft, and a wrist pin on the piston. A crank pin receiving hole and a wrist pin receiving hole in opposite ends of the connection rod are connected by an oil passage. The oil passage is connected to a groove in the upper side wall in the crank pin receiving hole. The crank pin has two lubricating oil supply ports at opposite sides of its outer surface through which lubricating oil is pumped. A bearing assembly comprising semi-circular upper and lower bearing sections is disposed around the crank pin. Each bearing section has a smooth inner surface. The upper bearing section has oil well recesses near, but spaced from, opposite ends of its inner surface which receive oil from the oil supply ports each time a port moves therepast. The upper bearing section also has two oil feed holes therethrough for supplying oil from the oil supply ports, each time a port moved therepast, directly to the groove in the side wall of the crank pin hole behind the upper bearing section. Each oil feed hole is located between and spaced from both an oil well recess and an end of the upper bearing section. The rotational upward compression stroke of the crank pin causes oil to be drawn toward a narrow end of the oil well recesses to effect high pressure hydrodynamic lubrication between the upper bearing section and the upper side of the crank pin.

Unlike the invention recited in claim 1, as amended herein, the Nikolaus reference does not disclose "the connecting rod having a passage extending therethrough and in communication with a channel formed by the cooperation of the connecting rod and the bearing element, the channel extending completely around an outer circumference of the bearing element." Instead, the Nikolaus reference discloses oil recesses 54 that extend part way around a bearing means 10. Moreover, the oil groove 41 in the side wall of the crank pin hole behind the

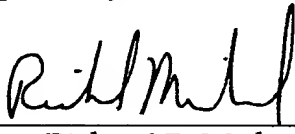
upper bearing section 24 only extends around part of the upper section and not at all around the lower bearing section. Where as here, each and every element of a claim is not found in a single prior art reference, a section 102 rejection is improper. Accordingly, reconsideration of the section 102 rejection is respectfully requested. Since claims 2, 3 and 5-11 depend either directly or indirectly from what Applicants consider to be an allowable independent claim, they too are in condition for allowance and an early action to that effect is earnestly solicited.

The Examiner has rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over Nikolaus in view of United States Patent No. 6,024,548 to Bushnell. Claim 4 depends indirectly from claim 1 which Applicants contend is allowable. As such, claim 4 should be likewise allowable.

Based on the foregoing, Applicants respectfully submit that all of the claims remaining in the application in question after entry of this amendment are allowable. If any issues remain unresolved after the entry of this amendment, Applicants request the Examiner contact Applicants' representative at the phone number listed below.

While Applicants believe no fees are due upon filing this response, please charge any deficiencies in fees associated with the filing of this amendment to our Deposit Account No. 13-0235.

Respectfully submitted,

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